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Counsel for Lead Plaintiff

Macomb County Employees' Retirement System

and Lead Counsel for the Putative Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Case No. 3:20-cv-02897-MMC

CLASS ACTION

*In re Align Technology, Inc. Securities
Litigation*

**JOINT STIPULATION AND [PROPOSED]
SCHEDULING ORDER**

1 Lead Plaintiff Macomb County Employees' Retirement System ("Plaintiff") and
2 Defendants Align Technology, Inc., Joseph M. Horgan, John F. Morici, and Julie Tay
3 (collectively, the "Defendants," and together with the Plaintiff, the "Parties"), by and through
4 their respective counsel, hereby stipulate and agree as follows:

5 WHEREAS, on June 11, 2020, the Parties filed a Joint Stipulation and [Proposed]
6 Scheduling Order concerning the time for filing Lead Plaintiff's Amended Complaint and the
7 briefing on Defendants' Motion to Dismiss the Amended Complaint (ECF No. 64);

8 WHEREAS, on June 12, 2020, the Court issued an Order setting the time for filing Lead
9 Plaintiff's Amended Complaint and the briefing on Defendants' Motion to Dismiss the
10 Amended Complaint, and also scheduling a hearing on the Motion to Dismiss for January 15,
11 2021, a Case Management Conference for March 5, 2021, and setting February 26, 2021 as the
12 date by which the Parties will file a Joint Case Management Conference Statement (the "June
13 12 Order") (ECF No. 65);

14 WHEREAS, in accordance with the June 12 Order, Lead Plaintiff filed its Amended
15 Complaint on August 4, 2020 and Defendants filed their Motion to Dismiss on September 18,
16 2020;

17 WHEREAS, on October 14, 2020, counsel for Lead Plaintiff contacted counsel for
18 Defendants to request a ten-day courtesy extension of time to file its opposition brief and a
19 corresponding ten-days for Defendants' reply brief because senior counsel for Lead Plaintiff
20 was displaced for two weeks by the Glass Fire in Sonoma county and in order to permit the
21 Parties adequate time to prepare their respective papers. After counsel for Lead Plaintiff and
22 counsel for the Defendants conferred, it was agreed to extend the time for Lead Plaintiff to file
23 its opposition to the Motion to Dismiss and for Defendants to file their reply in support of their
24 Motion to Dismiss, but leave unchanged the remainder of the case schedule including the
25 scheduled hearing date for this motion;

26 WHEREAS, no other modifications to the June 12 Order have been requested or
27 effected;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
2 the Parties, through their undersigned counsel, and respectfully requested, that the Court order
3 as follows:

- 4 1. Lead Plaintiff shall file its opposition to Defendants' Motion to Dismiss on or
5 before November 12, 2020;
- 6 2. Defendants shall file their reply in support of their Motion to Dismiss on or before
7 December 14, 2020; and
- 8 3. All other dates in the June 12 Order remain unchanged.

9
10 Dated: October 15, 2020

Respectfully submitted,

BLEICHMAR FONTI & AULD LLP

By: /s/ Peter E. Borkon

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– and –

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*Counsel for Lead Plaintiff Macomb County
Employees' Retirement System
and Lead Counsel for the Putative Class*

27
28 Dated: October 15, 2020

**WILSON SONSINI GOODRICH &
ROSATI P.C.**

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By: /s/ Caz Hashemi

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*Counsel for Defendants Align Technology,
Inc., Joseph M. Horgan, John F. Morici,
and Julie Tay*

[PROPOSED] ORDER

Having considered the Parties' Joint Stipulation, and good cause appearing therefore, IT IS HEREBY ORDERED that the Joint Stipulation is GRANTED:

1. Lead Plaintiff shall file its opposition to Defendants' Motion to Dismiss on or before November 12, 2020;
2. Defendants shall file their reply in support of their Motion to Dismiss on or before December 14, 2020; and
3. All other dates in the June 12 Order remain unchanged.

IT IS SO ORDERED.

Dated:

The Hon. Maxine M. Chesney
United States District Judge